

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

LEE BROWN,

Plaintiff,

v.

MISSOURI HIGHWAY TRANSPORTATION  
DEPARTMENT,

Defendant.

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No. 04-0724-CV-W-DW

**ORDER**

The Defendant has not been served under Federal Rule of Civil Procedure 4. Plaintiff Brown has not attempted to show good cause for the failure of service. Therefore, this case is hereby DISMISSED WITHOUT PREJUDICE for failure of service.

SO ORDERED.

/s/ DEAN WHIPPLE

Dean Whipple  
United States District Judge

Date: September 11, 2006